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Attorney for Juan Alfredo Bermudez

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No. CR-05-00118-MMC
)	
Plaintiff,)	STIPULATION AND [PROPOSED]
)	ORDER CONTINUING COURT DATE
Vs.)	
)	Honorable Maxine M. Chesney
JUAN ALFREDO BERMUDEZ and)	
)	
JOSE JAIME CARDENAS,)	Excludable Time: 18 USC 3161
)	
Defendants.)	
)	
)	
)	

Defendants Juan Alfredo Bermudez and Jose Jaime Cardenas by and through their respective attorneys, Steven F. Gruel and Claire Leary, and the United States of America, by and through its attorney, C. David Hall Assistant United States Attorney, hereby stipulate and respectfully request that the hearing date currently scheduled for January 30, 2009 should be continued to May 27, 2009 at 2:30 p.m.

The parties stipulate that good cause and excludable time under the Speedy Trial Act Pretrial justify and permit the continuance to May 27, 2009. Specifically, the parties are still discussing a resolution in this case which also entails discussions pertaining to the immigration

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consequences for each defendant. Moreover, counsels' trial schedules require a continuance to the May 27, 2009 date. Time under the Speedy Trial Act has previously been excluded to the January 30, 2009 date and this finding of excludable time should continue to May 27, 2009 in that the ends of justice are best served by such continuance so that continuity of counsel can be maintained and such continuity outweigh the best interests of the public and defendant in as speedy trial. *See* 18 U.S.C. Section 3161.

SO STIPULATED:

DATED: 1/28/09

/s/
STEVEN F. GRUEL
Attorney for Juan Alfredo Bermudez

DATED: 1/28/09

/s/
CLAIRE LEARY
Attorney for Jose Jaime Cardenas

DATED: 1/28/09

/s/
DAVID HALL
Assistant United States Attorney

~~[PROPOSED]~~ ORDER

PREDICATED on the above stipulation and GOOD CAUSE APPEARING, the hearing date of January 30, 2009 at 2:00 p.m. is hereby continued to May 27, 2009 at 2:30 p.m.

FURTHER, as stipulated by the parties, the Court finds that the time from January 30, 2009 to May 27, 2009 shall and hereby does constitute excludable time under the Speedy Trial Act in accordance with 18 USC 3161(h)(8)(A).

IT IS SO ORDERED.

Dated: January 29, 2009


HONORABLE MAXINE M. CHESNEY
United States District Court Judge

STIPULATION AND ~~[PROPOSED]~~ ORDER CONTINUING COURT DATE